

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BERNER ET AL.

APPLICATION No.: 10/769,574

FILED: JANUARY 29, 2004

FOR: GASTRIC RETENTIVE ORAL DOSAGE FORM WITH
RESTRICTED DRUG RELEASE IN THE LOWER
GASTROINTESTINAL TRACT

EXAMINER: HOLT, ANDRIAE M.

ART UNIT: 1616

CONF. NO: 8962

STATEMENT FROM JOHN W. SHELL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, **John W. Shell**, hereby declare that amendments of the claims in the above-identified patent application have necessitated that I be added as an inventor. Such error arose without any deceptive intent on my part.

I declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true, and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: May 6, 2009

By: John W. Shell
John W. Shell

Correspondence Address:

Customer No.: 79975